

E) REMARKS

This Response is filed in response to the Office Action dated June 1, 2005.

Upon entry of this Response, claims 1-35 will be pending in the Application.

In the outstanding Office Action, the Examiner rejected claim 34 under 35 U.S.C. 112, second paragraph, as being indefinite; and allowed claims 1-33 and 35.

Rejection under 35 U.S.C. 112

The Examiner rejected claim 34 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.

Applicant respectfully traverses the rejection of claim 34 under 35 U.S.C. 112, second paragraph.

The Examiner stated that “[c]laim 34 recites the limitation ‘the first economizer’ and ‘the second economizer’ in lines 1-2 of the claim. There is insufficient antecedent basis for these limitations in the claim.” In response thereto, Applicant has amended claim 34 in a manner that is believed to overcome the Examiner's rejection.

Therefore, in view of the above, Applicant submits that claim 34 is not indefinite and complies with the provisions of 35 U.S.C. 112, second paragraph, and therefore is allowable.

Allowable Subject Matter

The Examiner indicated that claims 1-33 and 35 are allowed. The Examiner further indicated that claim 34 would be allowable, if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd Paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. In response thereto, claim 34 has been amended in a manner believed to overcome the rejection under 35 U.S.C. 112, second paragraph, and is therefore believed to be allowable.

D) AMENDMENTS TO THE DRAWINGS

None.

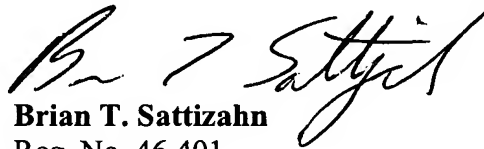
CONCLUSION

In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein, Applicant respectfully submits that claims 1-35 are not anticipated by nor rendered obvious by the cited art and thus, are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art, Applicant requests allowance of claims 1-35 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,
McNEES, WALLACE & NURICK

By



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Dated: July 20, 2005